

whereby a plurality of display boards can be stacked.

Applicant presents a "clean" copy of the claims in Appendix A.

REMARKS

By this response, claims 1, 3, 4, 10, 13 and 19 have been amended, claims 5, 9, 11, 12 and 17 have been cancelled, and claim 20 has been added. Accordingly, claims 1-4, 6-8, 10, 13-16, and 18-20 are in the application.

Claim 1 has been amended to state that the invention permits vocal communication, that the display cards have a background color that corresponds to a particular subject or category associated with the source phrase on the display card, that the source phrase is located prominently on an upper central portion of the display board, that the target phrase is located to one side of the source phrase and that the phonetic transliteration is located beneath the source phrase.

Claim 3 has been amended to a plurality of display boards, rather than a single display board; appropriate changes in grammar have also been made. Claim 4 has been amended to include the subject matter of now-cancelled claim 5. Claim 9 has been cancelled and incorporated as part of amended claim 1. Claim 10 has been amended to state that the elongate top and bottom walls are connected to and extend rearwardly from the front wall. Claim 10 also has been amended to include the subject matter of claims 11 and 12 which have been cancelled. Claim 13 has been amended to make it dependant upon amended claim 10. Claim 19 has been amended to include limitations similar to those made to claims 1 and 3 and to state that the first-language speaker can communicate vocally with a second-language speaker without ever learning the vocabulary or grammar of the second language. Claim 20 has been added

to claim the subject matter of original claims 10 and 17. Support for all of these amendments to the claims can be found in the specification at pages 8-10 and in FIG. 1 of the drawings. None of the amendments to the claims involves the addition of new matter.

Claims 1 and 6 have been rejected under 35 U.S.C. § 103(a) over the patent to Campo Agud, U.S. 3,081,560, in view of the patent to Renegar, U.S. 6,024,571. Applicants traverse the rejection of these claims and request reconsideration for the reasons set forth below.

The present invention provides a particularly effective technique for enabling individuals who speak different languages to communicate with each other vocally on a simple, repetitive basis without ever having to learn the vocabulary or grammar of the other language. The invention is particularly effective with English-speaking staff, therapists, supervisors, foremen, managers, and so forth in medical centers, doctors' offices, long-term care and other healthcare settings; detention centers and prisons; social service and government agencies; factories; hotels; and restaurants. The invention is usable for those who work with tourists and those who serve tourists.

The patents to Campo Agud and Renegar fail to teach or suggest the claimed invention. While the examiner is correct that Campo Agud discloses a display board, and further discloses a card containing a phrase in one language that is translated into another language, there is no teaching or suggestion in Campo Agud that modification of the display cards to provide a phonetic transliteration system would be possible. While Renegar discloses a phonetic transliteration system, Renegar's display materials are markedly different than the claimed invention. Claim 1 has been amended to state

that each display card has a background color that corresponds to a particular subject or category associated with the source phrase on the display card. This is an effective technique for focusing the users' attention on appropriate subject matter, but Renegar does not address this issue. Moreover, Renegar's pages include a variety of words and phrases, with their intended translations and transliterations, on the same page.

Applicants have discovered that a particularly effective technique for enabling communication between two people who speak different languages is to provide a single display card having a source phrase prominently displayed at the upper, central portion of the card, a phonetic transliteration thereof prominently displayed below the source phrase, and a translation of the source phrase (a target phrase) displayed to the side of the aforementioned phrases in relatively small type. None of this construction is even remotely suggested by Renegar.

Under current law, in order for an examiner to reject a claim, the examiner must provide evidence that there is a suggestion, teaching, or motivation in the prior art to combine the references cited by the examiner to produce the claimed invention. It is not enough that the prior art contains a teaching of the elements in question. Instead, it is necessary that a showing be made that one skilled in the art would have been motivated to modify the prior art references. This concept is supported by the recent case of *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1313-17 (Fed. Cir. 2000). See also *In re Dembiczak*, 50 U.S.P.Q. 2d 1614 (Fed. Cir. 1999), where the Court of Appeals upheld the continued validity of such cases as *In re Fritch*, 23 U.S.P.Q. 2d 1780 (Fed. Cir. 1992) and *In re Fine*, 5 U.S.P.Q. 1596 (Fed. Cir. 1988). Because the claimed invention is not taught or suggested by the patents to Campo Agud and Renegar, because

neither Campo Agud nor Renegar suggest modifications that are needed to produce the claimed invention, and because the claimed invention provides significant advantages over the prior art, claims 1 and 6 should be allowable.

Claims 2-5 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the prior art cited against claims 1 and 6, and further in view of the patent to Hopp, U.S. 3,154,870. Applicants traverse the rejection of claims 2-4 (claim 5 has been cancelled) and request reconsideration. The shortcomings of the patents to Campo Agud and Renegar have been discussed already. With respect to Hopp, applicants agree that Hopp discloses a modular sign assembly. Nevertheless, as noted above, the claimed invention must be considered as a whole and, in that light, the subject matter of claims 2-4 would not have been obvious. Because claims 2-4 depend from amended claim 1, either directly or indirectly, they include all the limitations of claim 1 and therefore should be allowable.

Claims 7 and 8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the prior art cited against claims 1 and 6, and further in view of the patent to Rellinger, U.S. 5,704,147. Applicants traverse the rejection of claims 7 and 8 and request reconsideration. The shortcomings of the Campo Agud and Renegar patents have been discussed already. With respect to Rellinger, it is true that Rellinger discloses a magnetic letter board assembly having magnetic, removable graphic indicia bodies. Nevertheless, there is no suggestion in Rellinger that his "graphic indicia bodies" can be used in any form of foreign language communication system, and, as noted above, the patents to Campo Agud and Renegar does not make the subject

matter of claims 1 and 6 obvious. Hence, because claims 7 and 8 depend directly or indirectly from claim 1, claims 7 and 8 should be allowable.

Claim 9 has been cancelled, and further discussion concerning claim 9 is not necessary.

Claim 10 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the patent to Campo Agud in view of the patent to Owen, U.S. 6,139,331. Claim 10 has been amended to state that the top and bottom walls extend rearwardly from the front wall, and further to state that a plurality of substantially identical display boards are connected to each other vertically. Applicants traverse the rejection of claim 10 and request reconsideration. The examiner is incorrect that Campo Agud discloses a chamber within which cards can be stored. Rather, Campo Agud discloses channels within which a single card can be inserted and removed. Campo Agud further discloses movable slats 4 that can be pivoted to cover up portions of the display cards or to not cover them up. Campo Agud does not address in any manner the construction of a display board that has storage room for additional cards. While Owen discloses a board base apparatus in which erasable presentation panels can be inserted for storage, Owen does not teach or suggest that a display board can be provided with a front wall to which a display card is removably secured. Further, Owen does not teach or suggest that a plurality of like display boards can be connected to each other vertically. There is no combination of features found in the Campo Agud or Owen patents that would teach or suggest the subject matter of amended claim 10. Accordingly, claim 10 should be allowable.

Claims 11 and 12 have been incorporated as part of claim 10 and further discussion concerning them is unnecessary. Claim 13 has been rejected on the same prior art cited against claim 10, and further in view of the patent to Hopp. Applicants traverse the rejection of claim 13 and request reconsideration for the same reasons set forth with respect to claims 2-5.

Claims 14 and 15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the prior art cited against claim 10 and further in view of the patent to Rellinger. Applicants traverse the rejection of claims 14 and 15 and request reconsideration. These claims are analogous to claims 7 and 8 discussed previously. Moreover, they depend either directly or indirectly from claim 10 which, as discussed above, should be allowable. Hence, claims 14 and 15 should be allowable.

Claims 16 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the prior art cited against claim 10 and further in view of the patent to Veazey, U.S. 5,224,610. Veazey discloses a wall-mounted striping system in which panels are suspended from a wall, and end caps are attached to the ends of the panels. Veazey's invention appears to have no connection whatsoever with phonetic transliteration systems. Moreover, it would not have been obvious to pick Veazey's end caps and apply them to Campo Agud's and Owens' devices because neither of these references suggest that it would be necessary or desirable to provide caps for the ends of the card-containing channels. In the absence of a teaching or suggestion that end caps such as that disclosed in Veazey (which close off the entire ends of the panels) would be suitable for use with Campo Agud's or Renegar's display boards, it is improper for the examiner to reject claim 16. With respect to claim 18, Veazey does

disclose a bracket by which his striping system can be mounted to a wall, but, again, one skilled in the art would not have been motivated to modify either the Campo Agud or Renegar devices based on anything disclosed in the Veazey patent. Accordingly, claim 18 should be allowable.

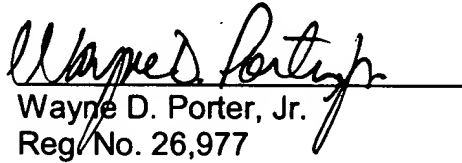
Claim 19 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the patents cited against claims 1 and 6, and further in view of patents to Owens, Hopp, Rellinger, Veazey and Tucker, U.S. 4,478,582. Applicants traverse the rejection of claim 19 and request reconsideration. Claim 19 is a detailed apparatus claim that includes the subject matter of several of the preceding claims. Claim 19 has been amended to specify yet additional features from the previously discussed claims, as well as to state that a plurality of display boards can be connected to each other vertically and a plurality of display cards can be displayed adjacent to each other vertically. This subject matter is not taught or suggested by the prior art cited against the claims. Applicants note that the examiner has cited seven references from diverse arts to reject claim 19, which implies that the examiner impermissibly has relied on hindsight. Presumably the examiner would not have to piece seven references together to craft a rejection if the invention actually were obvious. Applicants contend that claim 19 would not have obvious to one skilled in the art because it provides structure and capabilities not available with any prior art devices. Accordingly, claim 19 should be allowable.

Claim 20 is a new claim that combines the subject matter of original claims 10 and 17. Because claim 17 was indicated to be allowable upon rewriting to incorporate the subject matter of claim 10, claim 20 should be allowable.

CONCLUSION

For all the forgoing reasons, applicants have overcome the rejection of claims 1-4, 6-8, 10, 13-16, and 18-19. All of the claims now should be allowable. Applicants respectfully request the issuance of a notice of allowance.

Respectfully submitted,


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Appendix A

1. A phonetic transliteration card display to enable a person who speaks a first language to communicate vocally with a person who speaks a second language, comprising:

a display board that can be seen by both persons; and

B1 a display card secured detachably to the display board, the display card having a background color that corresponds to a particular subject or category, the display card displaying:

a source phrase in the first language, the source phrase being located predominantly in a upper, central portion of the display board and being associated with the background color;

a target phrase in the second language, the target phrase constituting a translation of the source phrase in the second language, the target phrase being located to one side of the source phrase; and

a phonetic transliteration of the target phrase in the first language, the phonetic transliteration being located beneath the source phrase.

2. The card display of claim 1, wherein the display board includes top and bottom walls, and further comprising:

a first connector included as part of the top wall and a second connector included as part of the bottom wall, the first connector being configured to engage with a mating second connector included as part of the bottom wall of another display board,

and the second connector being configured to engage with a mating first connector included as part of the top wall of another display board.

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B1
3. The card display of claim 2, further comprising;

a plurality of display boards substantially identical to the first display board, the display boards being joined by their respective second and first connectors; and

a plurality of display cards that display different source, target, and transliterated phrases than the first display card, the display cards each being secured detachably to a display board.

4. The card display of claim 2, wherein:

the first connector comprises a slot that extends along the top wall of the display board, the slot having a generally mushroom-shaped cross-section; and

the second connector comprises a protrusion that extends along the bottom wall of the display board, the protrusion having a generally mushroom-shaped cross-section.

B2
6. The card display of claim 1, wherein the display board is substantially C-shaped so as to define a chamber within which a plurality of display cards can be stored.

7. The card display of claim 1, wherein the display board has a first fastener and each display card has a mating second fastener to secure the display card to the display board.

cont
B2 8. The card display of claim 7, wherein the first and second fasteners
comprise magnets.

10. A display board for use as part of a phonetic transliteration card display in
which display cards can be observed by users, the display board comprising:

an elongate front wall having a portion to which a display card can be secured
removably;

B3 elongate top and bottom walls connected to and extending from the front wall,
the top and bottom walls being generally parallel with each other;

elongate upper and lower rear flanges connected to and extending from the
respective top and bottom walls, the flanges being generally parallel with the front wall;

the front, top, and bottom walls and the upper and lower rear flanges defining a
chamber within which additional display cards can be stored;

a first connector included as part of the top wall and a second connector
included as part of the bottom wall, the first connector being configured to engage with
a mating second connector included as part of the bottom wall of another display board,
and the second connector being configured to engage with a mating first connector
included as part of the top wall of another display board; and

a plurality of display boards substantially identical to the first display board, the
display boards being joined by their respective second and first connectors.

B4 13. The display board of claim 10, wherein the first connector comprises a slot
that extends along the top wall of the display board, the slot having a generally

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mushroom-shaped cross-section, and the second connector comprises a protrusion that extends along the bottom wall of the display board, the protrusion having a generally mushroom-shaped cross-section.

14. The display board of claim 10, further comprising a fastener by which a display card can be connected to the display board.

15. The display board of claim 14, wherein the fastener comprises a magnet.

16. The display board of claim 10, further comprising end caps that can be inserted into each end of the display board.

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18. The display board of claim 10, further comprising a bracket by which the display board can be attached to a wall, the bracket having an elongate flange over which the upper rear flange can be placed.

19. A phonetic transliteration card display to enable a person who speaks a first language to communicate vocally with a person who speaks a second language without learning the vocabulary or grammar of the second language, comprising:

a first display board that can be seen by both persons, the first display board including:

a front wall that has a magnet,

top and bottom walls connected to and extending from the front wall,

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upper and lower rear flanges connected to and extending from the respective top and bottom walls,

the front, top and bottom walls and the rear flanges being generally C-shaped and defining a chamber,

a first connector included as part of the top wall, the first connector being in the form of a slot that extends along the top wall of the display board, the slot having a generally mushroom-shaped cross-section, and

a second connector included as part of the bottom wall, the second connector being in the form of a protrusion that extends along the bottom wall of the display board, the protrusion having a generally mushroom-shaped cross-section;

a plurality of display cards each having a magnet that can be secured detachably to the magnet included as part of the front wall, the display cards having a background color that corresponds to a particular subject or category, each display card displaying:

a source phrase in the first language, the source phrase being located predominantly in a upper, central portion of the display board and being associated with the background color;

a target phrase in the second language, the target phrase constituting a translation of the source phrase in the second language, the target phrase being located to one side of the source phrase; and

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a phonetic transliteration of the target phrase in the first language, the phonetic transliteration being located beneath the source phrase;

a plurality of display boards substantially identical to the first display board, the display boards being joined by their respective second and first connectors; and

a bracket by which the display boards can be attached to a wall, the bracket having an elongate flange over which the upper rear flange of a selected display board can be placed, whereby a plurality of display boards can be connected to each other vertically, and whereby a plurality of display cards can be displayed adjacent to each other vertically.

20. A display board for use as part of a phonetic transliteration card display in which display cards can be observed by users, the display board comprising:

B6 an elongate front wall having a portion to which a display card can be secured removably;

elongate top and bottom walls connected to and extending from the front wall, the top and bottom walls being generally parallel with each other;

elongate upper and lower rear flanges connected to and extending from the respective top and bottom walls, the flanges being generally parallel with the front wall;

the front, top, and bottom walls and the upper and lower rear flanges defining a chamber within which additional display cards can be stored;

upper and lower ribs projecting from the front wall, the upper rib being disposed at the intersection of the front wall and the top wall, and the lower rib being disposed at the intersection of the front wall and the bottom wall;

cont
B6 upper and lower notches, the upper notch being disposed at the intersection of the top wall and the upper rear flange, and the lower notch being disposed at the

intersection of the bottom wall and the lower rear flange; and

the ribs and notches being configured such that the ribs can fit into the notches, whereby a plurality of display boards can be stacked.
